

# Investigations & Recovery - Frequently Asked Questions

Last Updated Monday, 04 August 2008

## QUESTIONS

What is Welfare fraud in the State of Nevada?

What does the Investigations and Recovery Services do?

What is an Intentional Program Violation?

Is there a penalty for Intentional Program Violation?

Do I have to repay benefits I receive in Nevada?

How do I report Welfare Fraud in Nevada?

What happens after I report fraud?

How do I report fraud in other states? **ANSWERS** What is Welfare fraud in the State of Nevada? (Return to Questions)  
"Fraud" means an intentional deception or misrepresentation made by a person knowing that by doing so it could result in some type of unauthorized benefit to them or to another person. It includes any act that constitutes fraud under applicable federal or state law.

For example, an individual applied for Food Stamps on March 1 claiming no income and no employment. Two months later a Nevada Employment Security cross match showed that the individual had become employed on February 15. An investigation confirmed that the individual was employed when he applied for benefits and he was charged with an intentional program violation for misrepresentation. An overpayment of benefits was calculated and he was required to repay the State of Nevada.

Recipient fraud is a violation of both federal and state law and if convicted, individuals may receive penalties which include any or all of the following:

- Administrative program disqualification
  - Full program restitution
  - Criminal conviction
  - Criminal fines and/or penalties
  - Confinement in county, state or federal prison
- Examples of recipient fraud include, but are not limited to:
- Reporting false or misleading information when submitting an application, or other required communication.
  - Failing to report monies received from employment or other sources.
  - Failing to report the presence of additional household members that reside in their household.
  - Collecting benefits for household members that do not reside in their household.
  - Failing to disclose all assets and/or resources.
  - Failing to use Child Care for its intended purpose.

What does the Investigations and Recovery Services do? (Return to Questions) **Unit Activities**

- Identify and reduce fraud and abuse in Division of Welfare and Supportive Services programs, through investigation of suspected fraud to determine intent and appropriate penalties.
  - Identify and locate absent parents of Welfare recipient children when the non-custodial parent is not known to the client.
  - Determine the value of overpaid program benefits.
  - Pursue collection of Division of Welfare and Supportive Services debts through reduction of benefits, voluntary payments, court orders or Federal Tax Intercept.
  - Promote program integrity and penalize intentional program violators using administrative disqualifications and/or criminal prosecutions.
- Investigations are conducted by State of Nevada Compliance Investigators. Welfare Investigators receive referrals to investigate allegations of fraud and abuse by varied means. Nevada residents are concerned about program integrity in public assistance benefit programs and may observe conditions that they feel warrant review or investigation by the Division of Welfare and Supportive Services. Many investigations are conducted based on these concerned citizen reports.

Investigators will review new and ongoing applications for public assistance and attempt to confirm an applicant's reported circumstances. Investigators may talk to landlords, neighbors, family members, employers, schools, banks, insurance companies, credit card companies, and conduct surveillance to ensure the validity of an applicant/recipient circumstances.

If fraudulent circumstances are confirmed, the investigator will report his findings to the caseworker to be reviewed for possible overpayment calculation, referral for Intentional Program Violation Hearing process or even prosecution.

If you would like to communicate with the Nevada Investigations and Recovery Services please contact the appropriate

office: Office Locations Northern Nevada:

- Reno Investigations & Recovery Southern Nevada: Las Vegas Recovery - Desert Inn Office What is an Intentional Program Violation? (Return to Questions) A household has committed an intentional program violation when any member has intentionally:

- Made a false or misleading statement, or misrepresented, concealed or withheld information.
- Committed any act that violates Nevada Revised Statute 207.340, or Nevada Revised Statute 422.410, or intentionally violates any rule or regulation established by the Nevada State Division of Welfare and Supportive Services.
- Makes an attempt to obtain, increase or continue public assistance benefits for themselves or others to which they would otherwise not be entitled; or
- Receives public assistance benefits to which they would otherwise not be entitled; or
- Fails to comply with reporting requirements as set forth in Eligibility Payments Manual Section B 600;
- Makes a false or misleading oral or written statement or submits a false document to the Division of Welfare and Supportive Services. A program violation is presumed to be intentional when:
- The individual had knowledge of the information withheld or misrepresented; and
- The individual had reasonable opportunity to report or clarify the information.

Opportunity is demonstrated when the individual had documented contact with the division on one or more occasions and had the opportunity to report, either in person, by mail, by phone, FAX or Electronic Mail.

The presumption of intentional may be overcome by the accused when the individual can bring forth clear and convincing evidence to rebut the allegation. NOTE: If no documented contact is found to substantiate opportunity, then additional factors such as other non-reporting occurrences, overpayments or prior IPV's may be used to advance the argument that the client's lack of reporting was intentional.

The following are examples of Intentional Program Violations:

- Concealing or misrepresenting one's identity, social security number, employment information, pregnancy or paternity information, marital status, household resources and income, persons living in the home or their absence, child care information, residency, household expenses, school attendance of children, medical expenses, winnings and/or lump sum and insurance settlements, subsidized housing, fleeing felon status or criminal or probationary information, prior intentional program violations or any other information specifically addressed on the public assistance application.
- Altering, forging, duplicating or transferring of Nevada State Division of Welfare and Supportive Services vouchers, forms, checks, affidavits or any documents submitted to the Division of Welfare and Supportive Services.
- Misuse or unauthorized presentation, transfer, acquisition, receipt or possession of Food Stamps, electronic credits or benefits, vouchers, checks, warrants or affidavits. If you have been charged with an Intentional Program Violation, you will be presented with the facts surrounding the allegation. You will be offered the opportunity to admit to the facts as presented and waive your rights to attend the hearing that the State of Nevada is requesting. If you waive your right to the hearing, you may sign the Intentional Program Violation waiver form. The Hearing Officer will notify you of the decision by mail and the Division of Welfare and Supportive Services will impose the appropriate penalty.

If you do not sign the waiver presented to you, the Division will notify you of a hearing date at which time you will be afforded the opportunity to present your case to a Hearing Officer. This will be an impartial setting allowing you and the Division to present facts, witnesses and testimony. After the hearing, you will be notified of the Hearing Officer's decision by mail. Is there a penalty for Intentional Program Violation? (Return to Questions) Yes. When an individual commits a first violation he will be disqualified from TANF, FS and EAP program participation for a period of 12 months. The second violation carries a disqualification of 24 months and the final penalty is a permanent disqualification from the program.

If you commit a first program violation while receiving TANF and child care benefits, you will be ineligible for TANF benefits for a period of 12 months. During this time period you will also not be entitled to the NEON support services and your NEON child care will be terminated.

If you commit a program violation in the Child Care program and you are not currently receiving TANF, your penalty is a 2-step subsidy percentage reduction in child care for a period of 6 months for the first occurrence, 3 steps for 12 months during the second occurrence and a permanent disqualification for the third violation. For example: If the household qualifies for a 100% subsidy and they are convicted of a child care 1st occurrence IPV, the maximum subsidy percentage paid by the Child Care program would be reduced to 75% for 6 months. If you misrepresent your identity or your place of residence in an attempt to secure multiple benefits at the same time, you will be disqualified from participation in that program for 10 years. The penalty applies even if the household does not actually receive multiple benefits. Do I have to repay benefits I receive in Nevada? (Return to Questions) If you are eligible to receive benefits in Nevada, you will not have to repay them. However; if you are ineligible for the benefits, you will be charged with an overpayment or debt, to be repaid to the State of Nevada.

Your debt can be repaid through benefit reduction while you are still receiving benefits such as TANF and Food Stamps. Medicaid, Child Care or EAP must be paid directly to the Division of Welfare and Supportive Services through cash payments.

Once an overpayment has been identified and calculated, you will be notified of the amount you owe. You will be asked to set up a repayment plan and make monthly payments. If you default on your payments you will be subject to court action and even Federal Tax Intercept. Court action includes wage attachment or property liens. When this happens, your debt will be reported to the credit reporting bureau and must be paid in full before it will be removed from your credit report.

If you have a Nevada State Division of Welfare and Supportive Services debt and would like to know how to make payments, please contact the Customer Service Center at: (800) 992-0900 OR (702) 486-1646 (Las Vegas) OR (775) 684-7200 How do I report Welfare fraud in Nevada? (Return to Questions) You may report fraud using the Division of Welfare and Supportive Services:

- Online Complaint Form
- Customer Service Center (800) 992-0900 OR (702) 486-1646 (Las Vegas) OR (775) 684-7200

(775) 684-0831 (mail)  
(775) 684-0844 (fax)  
MAIL TO: Reno Area/Carson City/Fallon/Yerington/  
Hawthorne/Winnemucca

#### Northern Nevada Investigations & Recovery

680 S. Rock Blvd.

Reno, NV 89502-4113

775-448-5250 (Fax) Las Vegas/Tonopah/Elko/Ely Area Southern Nevada Investigations and Recovery

3120 E. Desert Inn Rd.

Las Vegas, NV 89106

702-486-8657 (Fax)

702-486-8511 (Fax)

Note: Please be assured of complete confidentiality at all times in regards to your report. Please provide a name and phone number or method of contact so one of our investigators may contact you if any additional information is needed. Also, please be advised that the status and/or results of an investigation cannot be disclosed due to the confidentiality of all State administered programs. What happens after I report fraud? (Return to Questions) Once your report or complaint is received by the Investigations and Recovery Services, it is reviewed and assigned to an Investigator. If you have chosen to include your name and contact information with your complaint, you may be contacted by our investigator.

The investigator will conduct an investigation into the allegation and pursue any additional leads.

The results of the completed investigation will be sent to the appropriate program office for action.

If the results indicate criminal activity, a report may be sent to the appropriate prosecutor for criminal court action and/or administrative penalties. Also, please be advised that the status and/or results of an investigation cannot be disclosed due to the confidentiality of all State administered programs.

How do I report fraud in other states? (Return to Questions) The Nevada Division of Welfare and Supportive Services can only accept fraud complaints associated with Nevada benefits or programs. Welfare fraud should be reported to the state where it was committed.

To obtain ways to report other state fraud, you may visit: [Other Welfare Fraud Links](#)